



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 2, 2021

VIA ECF

The Honorable Mary Kay Vyskocil
United States District Court
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Navarro et al.*, 20 Cr. 160 (MKV)

Dear Judge Vyskocil:

The Government respectfully writes in light of defense counsel's letter-motion to clarify the substance of the Government's discovery productions since the parties' last appearance before the Court on May 14, 2021.

On June 1, 2021, following the parties' last appearance, the Government produced recordings of post-arrest interviews of several defendants, which were disseminated to all defendants for purposes of raising any *Bruton* motions prior to finalizing trial groupings. These post-arrest recordings had previously been produced between April and May 2020 to the individual defendants who were depicted in the post-arrest videos.

On June 4, 2021, the Government produced to defense counsel records consisting of subpoena returns, voluntary document productions, 5 Stones reports, and the cross-production of materials from two related cases: *United States v. Grasso et al.*, 20 Cr. 163 (PKC), and *United States v. Robinson et al.*, 20 Cr. 162 (JPO). Also on June 4, 2021, the Government made several disclosures to defense counsel out of an abundance of caution, and produced a limited set of law enforcement reports and witness statements relevant to that disclosure.

On June 29, 2021, the Government produced to Emma Greenwood the following records: a 14-page document produced by the New York Racing Association ("NYRA"); a redundant production of an electronic device image that had already been produced to defense counsel as part of the Government's September 30, 2020 production (albeit identified under a different folder name); and web data collected during the interceptions of the Rhein, Fishman, Oakes, Servis, Grasso, and Navarro phones, which the Government does not intend to introduce as evidence against any defendant in any trial.

On July 2, 2021, the Government produced to all defense counsel, via email, a set of 5 documents, totaling 9 pages, consisting of records produced to the Government by NYRA and the New Jersey Racing Commission, respectively.

As stated at prior status conferences, the Government continues to receive records in response to previously-issued grand jury subpoenas and pursuant to voluntary productions of records by third parties. This includes documents obtained by the Government in response to defense requests. Consistent with the Government's Rule 16 and disclosure obligations, the Government will continue to produce to defense counsel the discovery materials it receives.

Respectfully submitted,

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United States Attorney

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